

CHRISTOPHER LEE MICHELSON,

Plaintiff,

vs.

WELLPATH, et al.,

Defendants.

THIS MATTER is before the Court on Plaintiff's Motion to Vacate the Court's Order for Partial Payment Filing Fees While Incarcerated [Doc. 14] and Motion for Preliminary Injunction [Doc. 12].

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because he has been released from custody and is making payments himself.¹

The Motion is denied as moot. The Plaintiff has been released from prison, and therefore, he has no prisoner account from which to deduct the remaining payments. See DeBlasio v. Gilmore, 315 F.3d 396, 398 (4th Cir. 2003) (noting that an individual who has been released from prison has no prisoner's account from which to deduct the remaining payments). The Court notes that the Plaintiff may now attempt to satisfy the poverty provision that applies to non-prisoners, should he wish to do so.² Id. at 399.

In his Motion for Preliminary Injunction, the Plaintiff asks the Court to require the Buncombe County Detention Facility to provide him with adequate and effective treatment for his serious medical needs. [Doc. 12]. The Plaintiff's release from custody has mooted his request for adequate medical care while incarcerated, and it is therefore denied.

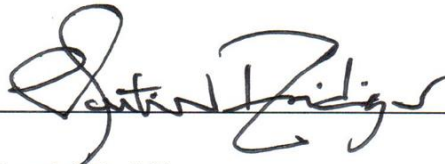
IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Vacate the Court's Order for Partial Payment Filing Fees While Incarcerated [Doc. 9] and Motion for Preliminary Injunction [Doc. 14] are **DENIED AS MOOT**.

¹ The North Carolina Department of Public Safety's website indicates that the Plaintiff was released on March 15, 2021. See <https://webapps.doc.state.nc.us/opi/offendersearch.do?method=view> (last visited Apr. 13, 2021).

² The application to proceed without the prepayment of costs and fees is available on the Court's website, <http://www.ncwd.uscourts.gov>.

IT IS SO ORDERED.

Signed: April 14, 2021



Martin Reidinger
Chief United States District Judge

